

REMARKS

Claims 1-10 are pending in this application. The Office Action rejects claims 1, 2 and 7-9 under 35 U.S.C. §102(b); and rejects claims 1-9 under 35 U.S.C. §103(a). By this Amendment, claim 1 is amended; and new claim 10 is added. Support for the present amendment can be found in the present specification, for example, at page 7, line 3, and Figure 15. No new matter is added.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Goff in the December 17, 2007 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

I. Rejection under 35 U.S.C. §102(a)

Claims 1, 2 and 7-9 are rejected under 35 U.S.C. §102(b) as anticipated by Fukuda et al. (U.S. Patent Application No. 2002/0157242). Applicant respectfully traverses the rejection with respect to amended claim 1.

The cited reference discloses a method of manufacturing an electrochemical device (abstract) wherein the device has first and second electrodes opposing each other (Figure 1, item 4), a case formed by first and second films opposing each other (see Figure 5), a first and second lead each having one part connect to each electrode and the other part projecting out of the case (see Figure 4). The method includes a thermal fusion step (paragraph 83) wherein fringes of the first and second films are in contact with each other between a pair of heating members opposing each other (Figure 1, items 10a and 10b), and wherein at least one of the pair of heating members is formed with grooves have respective forms in conformity to forms of cross sections of the first and second leads (Figure 1, item 11).

However, the cited reference does not disclose the features of amended independent claim 1. The cited reference at least fails to disclose that the grooves in the heating member(s) have trapezoidal cross sections and that a width of the bottom of the grooves is larger than a

width of the first and second leads. See the present specification at page 7, line 3; page 36, line 19; page 38, line 13; and Figure 15. Instead, the cited reference discloses only heating members having grooves that are rectangular, i.e. defined by 90 degree angles (Figure 1), or having grooves that are trapezoidal but lacking a width of the bottom of the grooves that is larger than a width of the first and second leads (Figure 10).

Therefore, the cited reference fails to disclose all the limitations of amended independent claim 1. Accordingly, Fukuda et al. does not anticipate the presently claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection under 35 U.S.C. §103(a)

Claims 1, 2 and 5-9 are rejected under 35 U.S.C. §103(a) as having been obvious over Hiroshi (JP 2000-294221), or over Fukuda et al. in view of Hiroshi. Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as having been obvious over Fukuda et al. in view of Yoshie et al. (JP61-198550); and as having been obvious over Fukuda et al. in view of Hiroshi in further view of Yoshie et al. Applicant respectfully traverses the rejections with respect to the amended claims.

Hiroshi is cited for its disclosure of leads having cross-sectional areas of 30 mm^2 (paragraph 38); and for its disclosure that the first and second electrodes have a flat form and contain an electronically conductive porous body as a constituent material, and a member made of an insulative porous body having a flat form is used as a separator (Figure 1, item 5; paragraph 33).

Yoshie et al. is cited for its disclosure of a portion of the fringe being deformed beforehand so as to have respective forms and sizes in conformity to forms and sizes of cross sections of the first and second leads (Abstract, see Figure 1).

Applicant respectfully submits that none of the two above listed secondary references overcome the defects of the primary reference Fukuda et al., discussed above. Thus,

regardless of their disclosures, any combination of the references still fails to have rendered obvious the subject matter of amended claim 1. Therefore, because independent claim 1 is patentable over the cited references, defendant claims 2-9 are also patentable over the cited references for at least the reason that claim 1 is patentable.

Reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application is earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Samuel T. Dangremond
Registration No. 60,466

JAO:STD/axl

Attachment:

Petition for Extension of Time

Date: December 18, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--